

HOUSE

RESEARCH

ORGANIZATION bill digest

5/12/87

HB 1679

C. Evans

SUBJECT: Attorneys appearing before relatives on bench

COMMITTEE: Judiciary: favorable, without amendment

VOTE: 6 ayes--Toomey, Dutton, Hury, Seidlits, Shine, Warner
0 nays
3 absent--C. Harris, Eckels, Perez

WITNESSES: None

DIGEST: HB 1679 would prohibit an attorney from appearing before a judge or a justice in a civil case if the attorney was related to the judge by blood or through marriage. This restriction would apply if the attorney and judge were related within the third degree.

The bill would only apply to appearances in court for causes of action filed on or after the effective date of the bill.

NOTES: According to the civil law system, the third degree of relationship test would disqualify an attorney from appearing before a judge who was his or her father/mother, grandfather/mother, uncle/aunt, brother/sister, nephew/niece or spouse.